



PATENT

Attorney Docket No.: 057309-5004-US02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Robert BARGATZE et al.)
Application No. 10/780,650) Art Unit: 1653
Filed: February 19, 2004) Examiner: Not Assigned
For: IDENTIFICATION OF PATHOGEN-LINTERACTIONS	IGAND)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants petition the Examiner to consider this Information Disclosure Statement and documents listed on the attached PTO-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced Application. Accordingly, Applicants do not believe a fee is due for filing this Information Disclosure Statement.

Copies of the listed documents are enclosed. These documents were cited in an opposition request in the European application that corresponds to the parent of the present application. Applicants respectfully request that the Examiner consider the listed documents and indicate that the documents have been considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies the document as "prior art" against any claims in the application and Applicants determine that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or to credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **February 1, 2005**Morgan, Lewis & Bockius LLP
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Respectfully submitted,
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Application No. 10/780,650 Attorney Docket No. INFORMATION DISCLOSURE CITATION 057309-5004-US02 (Use several sheets if necessary) Applicants: Robert BARGATZE et al. PAGE 1 of 1 PTO Form 1449 Filing Date: February 19, 2004 Group Art Unit: 1653 U.S. PATENT DOCUMENTS Sub-Class Filing Date Class Initial Document No. Date Name 69.1 05/09/1990 5,175,096 12/29/1992 Hook et al. 435 12/05/1991 02/23/1993 514 2. 5,189,015 Hook et al. 2 06/14/1994 69.1 01/22/1993 3. 5,320,951 Hook et al. 435 09/23/1993 05/16/1995 435 252.33 4. 5,416,021 Hook et al. 5,440,014 04/28/1994 5. 08/08/1995 Hook et al. 530 326 FOREIGN PATENT DOCUMENTS Sub-Class Translation Country Class Document No. Date OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.) Beachy (1981) J Infect Dis 143(5), 325-345 Bleiweis et al. (1992) Adv Exp Med Biol 327, 229-241 Brassart et al. (1991) Infection and Immunity 59(5), 1605-1613 8. 9. Burgess and McDonald (1992) Infection and Immunity 60(10), 4254-4259 Dean-Nystrom and Samuel (1994) Infection and Immunity 62(11), 4789-4794 Finlay and Falkow (1989) Microbial Reviews 53(2), 210-230 Hoepelman and Tuomanen (1992) Infection and Immunity 60(5), 1729-1733 12. 13. Jacobs et al. (1987) J Bacteriol 169(2), 735-741 Johnson (1991) Clinical Microbiology Reviews 4(1), 80-128 14. Kavoon et al. (1994) Ukr Biokhim Zh 66(2), 90-93 (Pubmed abstract only) 15. Mamo et al. (1994) Immunol Med Microbiol 10(1), 47-52 McGarey et al. (1994) Infection and Immunity 62(10), 4594-4601 17. Payne et al. (1993) Infection and Immunity 61(9), 3673-3677 18. Petri and Ravdin (1991) Infection and Immunity 59(1), 97-101 19. 20. Prasad et al. (1993) Infection and Immunity 61(7), 2780-2785 Raja et al. (1990) Infection and Immunity 58(8), 2593-2598 21. Ravdin (1989) J Infect Dis 159(3), 420-429 22. 23. Raydin et al. (1986) Infection and Immunity 53(1), 1-5 Rozdzinske et al. (1993) J Exp Med 178, 917-924 24. Rozdzinski et al. (March 1995) J Clin Invest 95, 1078-1085 25. Saukkonen et al. (1992) PNAS 89, 118-122 26. Soong et al. (March 1995) J Infect Dis 171(3), 645-651 27.

Examiner

28.

Date Considered

Tham et al. (1994) J Bacteriol 176(3), 781-788

Wu et al (December 1995) Infection and Immunity 63(12), 4933-4938

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.